

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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CURTIS O. JACKSON,

Plaintiff,

Case No. 2:11-cv-261

v.

HON. GORDON J. QUIST

DENNIS STRAUB, *et al.*,

Defendants.

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**ORDER APPROVING AND ADOPTING**  
**REPORT AND RECOMMENDATION**

On December 12, 2012, the Magistrate Judge issued a Report and Recommendation recommending that Defendant Alexander's Motion to Dismiss Under Rule 37(b) and (d) and Rule 41(b) of the Federal Rules of Civil Procedure be granted based on Plaintiff's refusal and/or failure to cooperate at his deposition ordered by the Court. The Magistrate Judge also recommended that the Court award Defendant Alexander \$52.40 in costs for expenses for the court reporter's appearance at the deposition and preparation of a transcript of Plaintiff objecting to the proceedings. The Report and Recommendation was duly served on Plaintiff on December 12, 2012. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed December 12, 2012, is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant Alexander's Motion to Dismiss (docket no. 64) is **GRANTED**, and Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that Defendant Alexander is awarded \$52.40 in costs against Plaintiff.

A separate judgment will enter.

This case is **concluded**.

Dated: January 22, 2013

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE